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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 REGINALD C. HOWARD,
11 Plaintiff,
12 v.
13 BRIAN CORNETT, *et al.*,
14 Defendants

Case No. 2:11-CV-01402-KJD-GWF

ORDER

Presently before the Court are Plaintiff's Motions to Dispense with the Requirement of Security, for a Temporary Restraining Order and a Preliminary Injunction (#24/25/26). Defendants filed a response in opposition (#28) to which Plaintiff replied (#29). Also before the Court is Plaintiff's Motion to Supplement Affidavits (#36). Since the Court will deny the motion even if the affidavits are considered, the motion to supplement is denied as moot.

Temporary restraining orders and preliminary injunctions are governed by the same standard. See Dumas v. Gommerman, 865 F.2d 1093, 1095 (9th Cir. 1989). To qualify for injunctive relief, a plaintiff must demonstrate: (1) a likelihood of success on the merits; (2) a likelihood of irreparable harm; (3) the balance of hardships favors plaintiff; and (4) an injunction is in the public interest. See Winter v. Natural Res. Def. Council, 555 U.S. 7, 120 (2008); eBay Inc. v. MercExchange, L.L.C., 547 U.S. 388 (2006).

1 The Court must deny Plaintiff's motion for several reasons. First, Plaintiff cannot show
2 likelihood of success on the merits because the action he seeks to enjoin is not related to the factual
3 allegations of his complaint. Though he alleges that he was harassed for bringing the present action,
4 he has not presented any evidence tying the incident he alleges occurred in the motion to the present
5 action. There is no link other than Plaintiff's supposition that they must be related. Second, Plaintiff
6 asks the Court to enjoin the actions of individuals who are not parties to the present action and are
7 not under the jurisdiction of the Court. Finally, though the actions as factually asserted may violate
8 Plaintiff's rights, he is under an obligation to exhaust his administrative remedies which Plaintiff
9 admits he has not done. Therefore, the Court finds that Plaintiff has not demonstrated a likelihood of
10 success on the merits.

11 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motions to Dispense with the
12 Requirement of Security, for a Temporary Restraining Order and a Preliminary Injunction
13 (#24/25/26) are **DENIED**;

14 IT IS FURTHER ORDERED that Plaintiff's Motion to Supplement Affidavits (#36) is
15 **DENIED as moot**

16 DATED this 14th day of December 2012.

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20 Kent J. Dawson
United States District Judge